

4. Identification (i.e. Social Security # or BMV #)
 5. Whether there are any outstanding warrants for the arrest of said individual.
 6. The criminal record, if any, of the individual arrested.
- C.** For a person charged with being a habitual offender; non-bondable until they appear for initial hearing;
- D.** For any Level 1 and 2 offense; bail shall be \$100,000.00 cash or surety;
- E.** For any Level 3 and 4 offense; for in state defendants, bail shall be \$30,000.00 cash or surety and out of state defendants, bail shall be \$60,000.00 cash or surety;
- F.** For any Level 5 offense; in state defendants, bail shall be \$20,000.00 cash or surety and out of state defendants, bail shall be \$40,000.00 cash or surety;
- G.** For any Level 6 offense; bail shall be \$7,500.00 cash, surety or 10% cash alternative.

SECTION II. MISDEMEANORS

- A.** Any person arrested for a B and C misdemeanor offense other than battery, disorderly conduct, invasion of privacy, possession of a handgun without a license, operating a vehicle while intoxicated operating with either a .08 or .15 ACE, shall be released from jail to appear in court on that person's own recognizance, subject to the following conditions:
1. At the time such a person is released on recognizance, the person shall be required to furnish a present residential and mailing address, telephone number, social security number, and employer's name and address. The identifying data of any full-time or part-time student shall include a student's permanent address and telephone number as well as the student's local address and telephone number.
 2. If the person arrested is under 21 years of age, the information shall also include parents' names, addresses, and telephone numbers.
 3. If the person agrees to provide the data required in Section II, A(1), but is unable to provide a social security number, driver's license, photo identification card, or employer information, the person may be released to the custody of a resident of Owen County over 18 years of age who can provide such data on themselves.
 4. Upon refusal to provide the information required under this Section, the person shall be held until brought before a judge.
- B.** A person charged with B or C misdemeanor, shall not be released on recognizance if the person:
1. Has any conviction within the last 5 years;
 2. Has failed to appear in any court within the last 5 years;
 3. Has pending criminal charges; or
 4. Is on probation or parole at the time of arrest.

- C. If the provisions of this Section do not authorize the release of the person on recognizance, bail shall be as follows:
1. For any Class A misdemeanor, bail shall be \$5,000.00 cash, surety or 10% percent cash alternative;
 2. For any Class B misdemeanor, bail shall be \$3,500.00 cash, surety or 10% cash alternative;
 3. For any Class C misdemeanor, bail shall be \$2,500.00 cash, surety or 10% cash alternative.

SECTION III. MISCELLANEOUS PROVISIONS

A. PROMISE TO APPEAR.

1. Any person, whether released on recognizance or bail for a misdemeanor or felony offense, shall be required to execute a written Promise to Appear in the appropriate court at the designated date and time. The Promise to Appear form shall be immediately forwarded to Circuit 1 by the Sheriff.

B. INTOXICATION. No person shall be released by the Sheriff of Owen County, regardless of the provisions of this Order, unless such person clearly manifests a state of sobriety at the time the provisions of this Order would otherwise permit release.

1. The Sheriff shall hold in custody any person who is under the influence of alcohol or controlled substances until such time it is determined, at the Sheriff's discretion, that the individual may be safely released without danger to self or others.
2. When information is available concerning the blood-alcohol content of an intoxicated person due to the administration of blood tests, breath tests, or other chemical tests, no intoxicated person shall be released by the Sheriff except as provided by IC 35-33-1-6.
3. When no information is available concerning the blood-alcohol content of a person charged with operating while intoxicated, such person shall not be released for a period of 24 hours, unless ordered by a judge.
4. When no information is available concerning the blood-alcohol content of a person charged with public intoxication, such person shall not be released for a period of 4 hours, unless ordered by a judge.

C. BATTERY. A person arrested on a charge involving battery or domestic battery, shall not be released until 24 hours have elapsed, unless ordered by a judge. The person may then post bail:

1. Pursuant to other sections of this Bail Order; and
2. If the person agrees in writing to initiate no contact with the victim.

Upon refusal to sign a No Contact Agreement, the person shall be held without bail until brought before a judge.

- D. EXTRADITION.** Any person extradited to Owen County shall be held without bail until brought before a judge.
- E. OVERWEIGHT TRUCKING VIOLATIONS.** The bail schedule as set out in this Order shall not apply to trucking violations. Bail for such offenses shall be determined pursuant to the provisions of IC 9-20-18-1, et seq.
- F. COMBINATION OF CHARGES.** If a person is charged with the commission of more than one offense arising out of a single incident, whether the offenses are felonies or misdemeanors, bail shall be in one amount for all charges, and shall be in the amount established for the most serious offense charged.
- G. DOUBLE BOND.** The specified surety bond for felonies or misdemeanors shall be doubled in the event the person has a pending case, has been convicted of a felony within the last 5 years, or is a habitual vehicle substance offender.
- H. CASH BOND.** After normal business hours the Sheriff shall accept a bond made in cash or by certified check and shall issue a receipt. A cash bond must be posted in the name of the Defendant. Thereafter, as soon as is practicable, the Sheriff shall deposit the cash or certified check with the Owen County Clerk.
- I. TEN PERCENT CASH BOND.**
1. Any individual charged with a misdemeanor may post a 10% cash bond without prior approval of the Court provided that the defendant and the person posting said bond execute a Personal Appearance Bond with Ten Percent Cash Deposit form as specified by this Court.
 2. No individual charged with a felony, except for a level 6 felony, may post a 10% cash bond unless the Court first approves the posting of such a bond. In the event that the Court approves such a bond, the defendant and the person posting the bond shall execute a Personal Appearance Bond with Ten Percent Cash Deposit form as specified by this Court.
 3. When a defendant and the person posting the bond have executed the Personal Appearance Bond With Ten Percent Cash Deposit form, the said form shall be delivered to the Clerk of this Court with the amount of the bond. When the conditions of the bond have been performed and when so Ordered by this Court, the Clerk of this Court shall retain ten percent (10%) of the deposit for administrative fees (which shall not exceed \$50.00), shall deduct the amount of any judgment for fines, Court costs, restitution, public defender fees or probation users fees and apply the same to the payment of said judgments and shall return the balance remaining, to the defendant or person who posted said bond.
- J. ALL BONDS.**
All bonds will be reviewed by this Court at the first Court appearance of the defendant.

When bond is posted as provided herein, the Sheriff of Owen County, Indiana, or his designated employee, shall cause the defendant to sign a promise to appear in the Owen Circuit Court. Three copies of such promise to appear shall be prepared. The original, with a copy of said bond attached, shall be filed with the Clerk of the Owen Circuit Court. The Sheriff shall deliver one copy of said promise to appear to the defendant, a second copy to the Prosecuting Attorney and shall retain one copy in the files of the Owen County Sheriff.

- K. PROBATION/PAROLE HOLD.** A person charged with the commission of a crime while on probation or parole shall be held without bail until brought before a judge.
- L. RELEASE OF BOND.** No cash bond may be released by the Owen County Clerk, except upon written order of a judge after judgment has been entered and any fines, fees, and costs including probation users fees and assessments imposed by the Court have been paid and satisfied.
- M. AMOUNT OF BAIL ON WARRANT.** If bail is set at a probable cause hearing, the amount of bail set by the judge shall be endorsed upon the arrest warrant and shall supersede conflicting provisions of this order.
- N. MODIFICATION.** The State and/or the defendant, at any time, can file a request for modification of bond.

(Effective July 1, 2014)

LR60-CR00-9 PUBLIC DEFENDER APPOINTMENT

Public Defender appointments continue for 30 days beyond conviction in criminal cases or disposition in Juvenile Delinquency cases.

LR60-CR00-10 TRANSPORTING PRISONERS FOR MENTAL HEALTH EVALUTIONS

- A.** The Owen County Sheriff will provide transportation of prisoners to the Bloomington Hospital, or other agency determined as appropriate for competency or sanity evaluations.
- B.** Emergency evaluations and dispositional reports may be conducted in jail.

LR60-CR00-11 DRUG COURT FEE

- (1) Those persons directed to participate in the Owen County Drug Court shall pay a \$100.00 Court administration fee per admission for initial Drug Court services regardless of the length of participation in the Owen County Drug Court in accordance with I.C. 33-23-16-23. The Clerk of the Court shall collect and transmit the fee within thirty (30) days after the fees are collected for deposit by the auditor or fiscal officer in the appropriate user fee fund established under I.C. 33-37-8.